

### **AMENDMENTS TO THE DRAWINGS**

Attached hereto are replacement sheets for Figs. 10(a), 10(b), 11(a) and 11(b) wherein Figs. 10(a), 10(b), 11(a) and 11(b) have been designated with the legend --Prior Art--.

## **REMARKS**

By the present amendment, claims 7 to 10 are pending in the application.

### **Support For claims**

#### **Claim 7**

New independent claim 7 is based upon original, now canceled, independent claim 1 and original, now canceled, dependent claim 3.

“Prepared by attaching a face member to a wall frame prepared by assembling light gauge channels made from steel sheet in rectangle form” is disclosed in the specification at page 9, lines 26 - 31 and Figs. 6 and 7.

“Attaching a floor plate to floor joists” is disclosed in the specification at page 8, lines 19 - 20 and Fig. 5(a) of the drawings.

The connection of the floor panel and the wall panels of the upper story to the lower story is illustrated in Figs. 3, 5(a) and 5(b) and discussed in the accompanying portions of the specification.

#### **Claims 8 to 10**

New dependent claims 8 to 10 correspond to original, now canceled, dependent claim 2, 4 and 5 respectively.

### **Amendments To Specification**

The specification has been amended at page 7, 8 and 9 to correct typographical errors.

The specification has been amended at page 10 to correct a typographical error in response to the objection to the specification raised in the Office Action.

### **Drawings**

In response to the objection to the drawings raised in the Office Action, replacement sheets for Figs. 10(a), 10(b), 11(a) and 11(b) are attached hereto wherein Figs.

10(a), 10(b), 11(a) and 11(b) have been designated with the legend --Prior Art--.

In view of the replacement sheets for Figs. 10(a), 10(b), 11(a) and 11(b) attached hereto, it is respectfully requested that the objection to the drawing be withdrawn.

### **Specification**

The specification was objected to because at page 10, line 22, the word “protruding” should be changed to --protrude--.

By the present amendment, the specification has been amended at page 10, line 22 in accordance with the comments of the Office Action.

In view of the amendment to the specification, it is respectfully requested that the objection to the specification be withdrawn.

### **Claim Objections**

Claim 4 was objected to because of the phrase “in that in which”.

By the present amendment, dependent claim 4 has been canceled and replaced with new dependent claim 9 in which the objected to phrase “in that in which” does not appear.

Claim 6 was objected to as being in improper dependent form.

By the present amendment, dependent claim 6 has been canceled.

In view of the present amendment, it is respectfully requested that the objections to the claims 4 and 6 be withdrawn.

### **§112, ¶2**

Claims 5 and 6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

By the present amendment, dependent claim 5 has been canceled and replaced with dependent claim 10 in which the objected to phrase “such as” does not appear.

By the present amendment, dependent claim 6 has been canceled.

In view of the present amendment, it is respectfully requested that the rejection of claims 5 and 6 under 35 U.S.C. §112, second paragraph, be withdrawn.

### **§102/§103**

Claims 1, 2 and 4 to 6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,867,964 to Perrin.

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,867,964 to Perrin in view of U.S. Patent No. 5,113,631 to diGirolamo et al.

These rejections, as applied to the new claims, are respectfully traversed.

### **The Present Invention**

The present invention (1) streamlines the details of the structural framework, eliminates the need for metal reinforcements, reduces work load at the jobsite and simplifies designs because walls of individual stories are constructed by attaching wall panels 21 of upper and lower stories to through vertical frame studs 20 extending to upper stories, and (2) achieves the improvement described in (1) above while maintaining the advantage of the conventional platform construction method by supporting both ends of the floor panel 24 on the upper ends of the wall panels 21 on two opposite sides.

### **Patentability**

#### **U.S. Patent No. 5,867,964 to Perrin ("US '964")**

US '964 was cited to reject claims 1, 2 and 4 to 6 under 35 U.S.C. §102(b).

The Office Action recognized that US '964 did not disclose the subject matter of dependent claim 3. The Office Action stated at page 4 with respect to dependent claim 3:

However, Perrin fails to explicitly disclose the upper edges of the wall panels of the lower story on two opposite sides are positioned lower than the upper edges of the wall panels of the lower story on the other two opposite sides, and two opposite sides of a floor panel formed by attaching a floor plate to floor joists are supported on the upper end of the two lower wall panels on two opposite sides.

New independent claim 7 of the present amendment contains the limitations of prior dependent claim 3.

It is therefore submitted that new independent claim 7 of the present amendment, and claims 8 to 10 dependent thereon, are not disclosed or suggested by US '964.

**U.S. Patent No. 5,113,631 to deGirolamo et al. ("US '631")**

US '631 relates to a structural system for supporting a building utilizing light weight steel framing for walls and hollow core concrete slabs for the floors.

Although US '631 discloses a structure somewhat similar to that of the present invention, there are clear distinctions with respect to the present invention as explained below.

In Fig. 18 of US '631 (referred in the Office Action), the member that corresponds to the floor panel of the present invention is hollow core slabs 210 and 220 of US '631. As described in abstract of US '631, the floor is comprised of precast hollow core concrete slabs and Fig. 14 of US '631 discloses that the hollow core slabs 210 and 220 are bonded by grout.

To the contrary, the floor panel of the present invention is comprised of floor plates and floor joists formed by light gauge shapes made from sheet steel.

Therefore, the floor panel of US '631 is very different from that of the present invention in structure.

When the heavy hollow core slabs 210 and 220 of US '631 are used as floor panels, advantages of the present invention that heavy machines and scaffolds are not required cannot be obtained (see page 11, line 18).

Fig. 18 of US '631 discloses that upper edges of the exterior wall studs 50 corresponding to a vertical frame of a lower story of the present invention are positioned

higher than the hollow core slabs 210 and 220 for the floor and these slabs are connected to the exterior wall studs in a manner as shown in Figs. 19 and 20.

On the contrary, as stated in the new independent claim 7, in the structure of the present invention, the lower end of the wall panels of the upper story are connected to the upper end 29a of the wall panels 21a of the lower story on the other two opposite sides while putting the floor plate 32 between the upper end 29a of the wall panels of the lower story on the other two opposite sides and the lower end of the wall panels of the upper story as shown in Fig. 5 (b).

In the case of Fig. 18 of US '631, the upper continuous tracks 52 corresponding to the upper frame of the wall panels of the lower story of the present invention is higher than the hollow core slabs 210 and 220, and the wall panels of the upper story cannot be constructed while putting the floor plate between the upper end of the wall panels of the lower story and the lower end of the wall panels of the upper story.

Further, in the case of Fig. 19 of US '631, since there are continuous angles 40 and power actuated fasteners 300 on the floor slabs, a difference in level is formed on the floor surface. Therefore, it is difficult for the floor plates to attach to floor surface without gaps.

According to the disclosure of US '631, the effects of the present invention such as elimination of needs for complex reinforcing hardware, reduction of jobsite workload and simplification of the desire cannot be obtained.

Further, US '631 does not disclose or suggest that the vertical frame studs provided at intersections of the wall panels and corners should be through studs continuing to the upper stories.

US '631 does not disclose or suggest the structure of the present invention.


It is therefore submitted that new independent claim 7, and claims 8 to 10 dependent thereon, are patentable over US '964 in view of US '631.

**CONCLUSION**

It is submitted that in view of the present amendment and foregoing remarks, the application is now in condition for allowance. It is therefore respectfully requested that the application, as amended, be allowed and passed to issue.

Respectfully submitted,

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